

FILED

UNITED STATES COURT OF APPEALS

DEC 07 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CONSERVATION CONGRESS; et al.,

Plaintiffs - Appellants,

v.

UNITED STATES FOREST SERVICE,

Defendant - Appellee.

No. 10-16560

D.C. No. 2:08-cv-02483-GEB
Eastern District of California,
Sacramento

ORDER

Before: GOODWIN, RYMER, and GRABER, Circuit Judges..

Appellants appeal from the district court's taxation of costs incurred by the United States Forest Service in the underlying district court case. This court reviews a district court's award of costs for an abuse of discretion. *P.N. v. Seattle Sch. Dist. No. 1*, 474 F.3d 1165, 1168 (9th Cir. 2007).

A review of the record and appellants' response to the Forest Service's motion for summary disposition indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). The district court did not abuse its discretion finding that the costs incurred by the Forest Service were allowable pursuant to 28 U.S.C. § 1920 and by awarding costs

over appellants' objection. *See Barjon v. Dalton*, 132 F.3d 496, 500 (9th Cir. 1997) (district court abuses its discretion if its ruling on a fee and costs motion "is based on an inaccurate view of the law or a clearly erroneous finding of fact." (internal citation omitted)).

Accordingly, we summarily affirm the district court's judgment.

AFFIRMED.